

WEDNESDAY, FEBRUARY 9, 2011

THIRD LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Representative Shaw.

Representative Shaw led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results

Present..... 99

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 115 Rep(s). Campbell as prime sponsor(s).

House Bill No. 297 Rep(s). Evans as first prime sponsor(s)

House Bill No. 386 Rep(s). Hurley as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Maggart was/were removed as sponsor(s) of **House Bill No. 297**.

ENROLLED BILLS
February 8, 2011

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 4, 5, 8, 9, 11, 12, 33 and 37; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

SIGNED
February 8, 2011

The Speaker announced that she had signed the following: House Joint Resolution(s) No(s). 4, 5, 8, 9, 11, 12, 33 and 37.

BETTY KAY FRANCIS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE
February 8, 2011

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 4, 5, 8, 9, 11, 12, 33 and 37; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

REPORT OF CHIEF ENGROSSING CLERK
February 8, 2011

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 4, 5, 8, 9, 11, 12, 33 and 37; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the following resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 39** -- General Assembly, Statement of Intent or Position - Expresses support for state funding of planning and start-up costs associated with two new state veterans' homes to be built in Bradley County and Montgomery County. by *Brooks K.

House State & Local Government Committee

***House Joint Resolution No. 41** -- Constitutional Amendments - Proposes a constitutional amendment to require a two-thirds majority of each house in order to pass a bill that creates a new tax or raises the tax rate of an existing tax. by *Campbell.

House State & Local Government Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 10, 2011:

House Resolution No. 14 -- Memorials, Personal Achievement - Christopher Hazlewood, Eagle Scout. by *Carr.

House Resolution No. 15 -- Memorials, Professional Achievement - Joseph "Reggie" Smith. by *Eldridge.

House Resolution No. 16 -- Memorials, Recognition - Reverend Joseph William Byrd. by *Lundberg.

House Resolution No. 17 -- Memorials, Recognition - Marcus Houston. by *Bass.

House Joint Resolution No. 42 -- Memorials, Recognition - Dave Raby. by *Watson.

House Joint Resolution No. 43 -- Memorials, Recognition - Pat Boone. by *Floyd.

House Joint Resolution No. 44 -- Memorials, Death - Donald Louis Wamp. by *Floyd, McCormick, Dean.

House Joint Resolution No. 45 -- Memorials, Retirement - Ansley Moses. by *Floyd, Dean, McCormick.

House Joint Resolution No. 46 -- Memorials, Recognition - Red Bank Baptist Church celebrating 100 years of ministry. by *Floyd, Dean, McCormick.

House Joint Resolution No. 48 -- Memorials, Recognition - Germantown Symphony Orchestra, 35th anniversary. by *McManus, Coley, Cooper B, DeBerry J, DeBerry L, Hardaway, Kernell, Lollar, Miller L, Parkinson, Richardson, Todd, Towns.

House Joint Resolution No. 49 -- Memorials, Recognition - Dr. Moses Alfred Haynes. by *Pruitt, *Gilmore.

House Joint Resolution No. 51 -- Memorials, Recognition - Charleston Ruritan Club, 60th Anniversary. by *Watson.

House Joint Resolution No. 52 -- Memorials, Recognition - Bradley Central High School FFA. by *Watson.

House Joint Resolution No. 54 -- Memorials, Retirement - Charles Brooks. by *Harrison.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for February 10, 2011:

Senate Joint Resolution No. 51 -- Memorials, Recognition - Bill Anderson. by *Haynes.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 299 -- Nurses, Nursing - As introduced, revises terms practical nurse and advanced practice nurse to advance practice registered nurse. - Amends TCA Title 49; Title 53; Title 56; Title 63 and Title 71. by *Harrison.

***House Bill No. 300** -- Criminal Offenses - As introduced, broadens offense of harassment to include electronic communication with or about another person or transmission or display of images that causes or may reasonably cause emotional distress; allows law enforcement to access log files, images or communications posted on social network services' Web sites. - Amends TCA Title 39, Chapter 17, Part 3. by *Curtiss.

***House Bill No. 301** -- Education - As introduced, defines cyber-bullying and requires schools to implement policies against cyber-bullying. - Amends TCA Title 49, Chapter 6, Part 10. by *Curtiss.

***House Bill No. 302** -- Taxes - As introduced, clarifies that any person engaged in selling any quantity of unauthorized substances is liable for the tax; clarifies that the presumption that a person is a merchant does not apply when the person is actually engaged in selling any quantity of substances. - Amends TCA Title 67, Chapter 4, Part 28. by *Curtiss.

***House Bill No. 303** -- Insurance Companies, Agents, Brokers, Policies - As introduced, revises conditions which if not satisfied would permit an insurer to disregard an insured's assignment of benefits. - Amends TCA Section 56-7-120. by *Curtiss.

House Bill No. 304 -- Controlled Substances - As introduced, adds six chemical derivatives of the Schedule I controlled substance methcathinone as Schedule I drugs. - Amends TCA Title 39, Chapter 17, Part 4. by *Curtiss.

***House Bill No. 305** -- Jails, Local Lock-ups - As introduced, authorizes the use of county prisoners' labor on farms operated by board of regents institutions. - Amends TCA Title 41 and Title 49. by *Windle.

House Bill No. 306 -- University of Tennessee - As introduced, authorizes the University of Tennessee to enter into certain agreements with foundations that support the university. - Amends TCA Title 49, Chapter 9, Part 1. by *Montgomery, Sargent, Fitzhugh.

***House Bill No. 307** -- Taxes - As introduced, reduces from 5.5 percent to 4.5 percent the sales tax rate on food. - Amends TCA Title 67. by *Fitzhugh.

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***House Bill No. 308** -- Redistricting, Legislative - As introduced, updates references to 2010 TIGER system and geography. - Amends TCA Section 3-1-103. by *Fitzhugh.

***House Bill No. 309** -- Redistricting, Congressional - As introduced, updates reference to 2010 TIGER system. - Amends TCA Section 2-16-103. by *Fitzhugh.

***House Bill No. 310** -- Redistricting, Legislative - As introduced, updates references to 2010 TIGER system and geography; clarifies provisions concerning districts, terms and vacancies prior to November 2012 elections. - Amends TCA Section 3-1-102. by *Fitzhugh.

***House Bill No. 311** -- Redistricting, Congressional - As introduced, requires compliance with state and federal constitutions as well as judicial decisions in passing congressional redistricting plan. - Amends TCA Title 2, Chapter 16, Part 1 and Title 3, Chapter 1, Part 1. by *Fitzhugh.

***House Bill No. 312** -- Education - As introduced, requires department of education to develop guidelines for LEA policies on concussions in sports and cheerleading activities; requires LEAs to develop policies and procedures regarding the identification and handling of concussions and head injuries that are consistent with the guidelines. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 5 and Title 49, Chapter 6. by *Fitzhugh.

***House Bill No. 313** -- Taxes, Sales - As introduced, institutes Tennessee small business sales tax holiday program. - Amends TCA Title 67. by *Fitzhugh.

***House Bill No. 314** -- Bond Issues - As introduced, authorizes the state of Tennessee, acting by resolution of its funding board, to issue and sell its interest-bearing bonds and bond anticipation notes for certain purposes. by *Fitzhugh.

***House Bill No. 315** -- Appropriations - As introduced, makes appropriations for the purpose of defraying the expenses of certain legislative enactments passed during the 2011 session of the 107th General Assembly. by *Fitzhugh.

***House Bill No. 316** -- Taxes, Exemption and Credits - As introduced, increases computer exemption during recurring August sales tax holiday from \$1,500 to \$1,650; deletes obsolete language for spring sales tax holiday. - Amends TCA Title 67. by *Fitzhugh.

***House Bill No. 317** -- Finance and Administration, Dept. of - As introduced, requires annual report on state agency lease payments to be posted on department Web site and filed with office of legislative budget analysis. - Amends TCA Title 3; Title 4 and Title 9. by *Fitzhugh.

***House Bill No. 318** -- Regional Authorities and Special Districts - As introduced, limits additional proximate but noncontiguous property included within megasite to 750 acres. - Amends TCA Title 64, Chapter 6. by *Fitzhugh.

***House Bill No. 319** -- Appropriations - As introduced, assigns the state employee staff responsible for the administration of the group insurance for state officials and employees to the department of finance and administration; requires that grant payments under the grant assistance program for nursing home care be made monthly or quarterly instead of monthly; deletes obsolete language for spring sales tax holiday. - Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 11; Title 12; Title 13; Title 16; Title 33; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 42; Title 43; Title 44; Title 45; Title 47; Title 48; Title 49; Title 50; Title 54; Title 55; Title 56; Title 57; Title 58; Title 59; Title 60; Title 61; Title 62; Title 63; Title 65; Title 66; Title 67; Title 68; Title 70 and Title 71. by *Fitzhugh.

***House Bill No. 320** -- Lottery, Scholarships and Programs - As introduced, adds University of Tennessee System and Board of Regents as recipients of THEC's annual report on scholarship and grant programs data. - Amends TCA Title 4, Chapter 31; Title 4, Chapter 51; Title 8, Chapter 4; Title 9, Chapter 4 and Title 49. by *Fitzhugh.

***House Bill No. 321** -- Campaigns and Campaign Finance - As introduced, enacts the "Voter-Owned Elections Act." - Amends TCA Title 2, Chapter 10. by *Fitzhugh.

***House Bill No. 322** -- Traffic Safety - As introduced, prohibits using cell phone while driving in an activated school zone; violation is Class C misdemeanor punishable by \$50.00 fine only. - Amends TCA Title 55, Chapter 8. by *Gilmore.

House Bill No. 323 -- Judges and Chancellors - As introduced, requires the TBI to complete background investigations on the panel of nominees for a vacant appellate court judgeship within 90 days of being directed to do so by the governor. - Amends TCA Title 2; Title 4; Title 16 and Title 17. by *Montgomery.

House Bill No. 324 -- Election Laws - As introduced, requires citizenship status to be proven prior to registration to vote and requires certain procedures to ensure identity and citizenship status prior to voting. - Amends TCA Title 2, Chapter 2, Part 1. by *Todd.

House Bill No. 325 -- Taxes, Privilege - As introduced, changes the municipal stadium seat privilege tax which may be levied by county having a metropolitan form of government on spectators attending an event at a municipal stadium from 10% of the consideration charged to a fee of \$20.00. - Amends TCA Title 7. by *Todd.

House Bill No. 326 -- County Government - As introduced, adds three county mayors as appointed by the governor to the current seven member state consolidation committee. - Amends TCA Title 5. by *Todd.

House Bill No. 327 -- Pensions and Retirement Benefits - As introduced, redefines "average final compensation" to cap such amount at the salary of a Class 1 official for persons in the Tennessee consolidated retirement system. - Amends TCA Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36 and Title 8, Chapter 37. by *Casada.

***House Bill No. 328** -- Health Care - As introduced, requires the commissioner of health to report to certain legislative committees concerning implementation of certain aspects of federal health care reform legislation. - Amends TCA Title 3; Title 4; Title 33; Title 53; Title 56; Title 63; Title 68 and Title 71. by *Casada.

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***House Bill No. 329** -- Public Contracts - As introduced, enacts the "Equal Access to Local Government Contracts and Services Act." - Amends TCA Title 4, Chapter 21, Part 1; Title 5; Title 6 and Title 7. by *Casada.

***House Bill No. 330** -- Public Contracts - As introduced, enacts the "Equal Access to Local Government Contracts and Services Act." - Amends TCA Title 4, Chapter 21, Part 1; Title 5; Title 6 and Title 7. by *Casada.

***House Bill No. 331** -- Public Contracts - As introduced, enacts the "Equal Access to Local Government Contracts and Services Act." - Amends TCA Title 7, Chapter 51. by *Casada.

House Bill No. 332 -- Manchester - As introduced, subject to local approval, revises charter to have elections for the county legislative body and school board coincide with general August election and to declare a vacancy in the office of alderman when the person qualifies as a candidate for election to the office of mayor. - Amends Chapter 74 of the Private Acts of 2005. by *Matheny.

***House Bill No. 333** -- Taxes, Ad Valorem - As introduced, allows damage award for interested parties who were not provided mandatory notice of a delinquent tax sale; specifies that sale is not required to be invalidated for lack of notice if the party is awarded damages. - Amends TCA Section 67-5-2502. by *Coley.

***House Bill No. 334** -- Wills - As introduced, requires bonds of executors and administrators to include expenses for court costs, attorney's fees and other related expenses of administering the estate. - Amends TCA Title 30, Chapter 1, Part 2. by *Coley.

***House Bill No. 335** -- Education, Higher - As introduced, prohibits certain persons from attending public higher education institutions in this state; requires public higher education institutions in this state to develop a process to determine the lawful presence of each student applicant. - Amends TCA Title 8, Chapter 50, Part 1 and Title 49. by *Ragan, Shipley.

House Bill No. 336 -- Taxes, Inheritance Gift - As introduced, eliminates distinction between Class A and Class B donees for gift tax purposes; increases gift tax exemption by linking Tennessee to federal exemption level. - Amends TCA Title 67, Chapter 8, Part 1. by *Brooks K.

***House Bill No. 337** -- Finance and Administration, Dept. of - As introduced, authorizes commissioner of finance and administration to enter into agreements with certain citizen support organizations to donate monetary gifts, goods or services to be used by Volunteer Tennessee. - Amends TCA Title 4, Chapter 3. by *Brooks K.

***House Bill No. 338** -- Nuisances - As introduced, declares those dealing in antique, used or scrap jewelry and precious metals to be a nuisance if such dealers fail to comply with all requirements of the scrap jewelry and metal dealers law; allows a temporary injunction to be granted until such dealer provides an inventory to the court and agrees to comply with such law. - Amends TCA Title 29, Chapter 3, Part 1 and Title 38, Chapter 1, Part 2. by *Brooks K.

House Bill No. 339 -- Motor Vehicles, Titling and Registration - As introduced, requires notice be given to department of revenue when title to a motor vehicle is transferred; relieves responsibility of seller of a motor vehicle for actions taken by purchasers of such motor vehicle. - Amends TCA Title 55, Chapter 3. by *Dean.

***House Bill No. 340** -- Taxes, Gasoline, Petroleum Products - As introduced, extends period of time from 30 days to 30 business days for county legislative body to act on resolution or ordinance to levy one cent local gasoline tax following filing of petition with county legislative body to levy such tax. - Amends TCA Title 67, Chapter 3. by *Harmon.

House Bill No. 341 -- Highway Signs - As introduced, provides for erection of directional signs for Children's Holocaust Memorial at Whitwell Middle School on Interstate 24 in Marion County. by *Harmon.

House Bill No. 342 -- Traffic Safety - As introduced, prohibits traffic surveillance cameras that monitor speed to be implemented after July 1, 2011; allows existing traffic surveillance cameras that monitor speed to be used until their contract expires. - Amends TCA Title 5; Title 6; Title 7 and Title 55. by *Harmon.

***House Bill No. 343** -- Professions and Occupations - As introduced, requires a radiologist assistant to work in the employ or at the direction of a radiologist. - Amends TCA Title 63. by *Ramsey.

***House Bill No. 344** -- Medical Occupations - As introduced, states that the board of medical examiners is authorized to promulgate rules and regulations to administer the Genetic Counselors Licensing Act. - Amends TCA Title 63. by *Ramsey.

***House Bill No. 345** -- County Government - As introduced, authorizes county legislative bodies to rescind approval of the County Budgeting Law of 1957, the Local Option Budgeting Law of 1993, the County Fiscal Procedure Law of 1957, the County Purchasing Law of 1957 and the County Financial Management System of 1981. - Amends TCA Title 5. by *Shepard.

***House Bill No. 346** -- Special License Plates - As introduced, authorizes issuance of two memorial license plates to recipients of the Distinguished Flying Cross. - Amends TCA Title 55, Chapter 4. by *Shepard.

House Bill No. 347 -- Dickson County - As introduced, subject to local approval, grants the county legislative body broader authority to set compensation for county highway commissioners, rather than setting a specific compensation in the charter. - Amends Chapter 53 of the Private Acts of 1985. by *Shepard.

House Bill No. 348 -- Campaigns and Campaign Finance - As introduced, requires corporations to file statement of contributions and expenditures when using corporate funds to aid in either the election or defeat of a candidate; requires corporation to disclose such corporation paid for public communication when it expressly advocates the election or defeat of a clearly identified candidate. - Amends TCA Title 2, Chapter 10 and Title 2, Chapter 19. by *McDonald.

House Bill No. 349 -- Water Resources - As introduced, enacts the "Drinking Water Access and Resources Planning Act." - Amends TCA Title 68, Chapter 221. by *McDonald.

***House Bill No. 350** -- Taxes, Income - As introduced, exempts persons 70 or older from Hall Income Tax beginning in tax year 2012. - Amends TCA Title 67, Chapter 2, Part 1. by *McDonald, Bass.

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***House Bill No. 351** -- Taxes, Exemption and Credits - As introduced, exempts persons 65 or older from Hall Income Tax beginning in tax year 2012. - Amends TCA Title 67, Chapter 2, Part 1. by *McDonald, Bass.

***House Bill No. 352** -- Financial Responsibility Law - As introduced, authorizes police departments to impound motor vehicles upon driver's failure to provide proof of financial responsibility. - Amends TCA Title 55, Chapter 12 and Title 55, Chapter 16. by *McDonald, Bass.

***House Bill No. 353** -- Environmental Preservation - As introduced, prohibits the department of environment and conservation from issuing permits related to surface mining activities under certain circumstances. - Amends TCA Title 68, Chapter 221 and Title 69. by *McDonald.

***House Bill No. 354** -- Taxes, Sales - As introduced, reduces the sales and use tax on food and food ingredients for human consumption except prepared food, alcoholic beverages, candy, dietary supplements, and tobacco, from 5.5% to 2.75% beginning January 1, 2012. - Amends TCA Title 67, Chapter 6. by *McDonald, Bass.

***House Bill No. 355** -- Firearms and Ammunition - As introduced, prohibits employers from prohibiting employees possessing a handgun carry permit from transporting and storing a firearm out of sight in a locked vehicle on any property set aside for employee parking; prohibits employer from terminating, demoting, or other discrimination against such employees. - Amends TCA Title 39, Chapter 17, Part 13. by *McDonald, Bass.

***House Bill No. 356** -- TennCare - As introduced, requires TennCare MCOs to contract with nursing homes and associated physicians and hospitals in their service area under the Long Term Care Community Choices Act of 2008. - Amends TCA Title 71. by *McDonald.

***House Bill No. 357** -- Tennessee Wildlife Resources Agency - As introduced, requires the Tennessee wildlife resources agency to post the annual report of estimated acreage closed, opened, and added on its Web site. - Amends TCA Title 70. by *McDonald.

***House Bill No. 358** -- Recreational Areas - As introduced, requires the state or a local subdivision to post results of a feasibility study relative to converting a right-of-way into a hiking-bicycle trail on the appropriate Web site of the state or local subdivision. - Amends TCA Title 11. by *McDonald.

***House Bill No. 359** -- Environmental Preservation - As introduced, extends time to resubmit a corrected municipal solid waste region plan from 60 days to 75 days and corrects reference to state agency. - Amends TCA Title 68 and Title 69. by *McDonald.

***House Bill No. 360** -- Taxes, Sales - As introduced, exempts food and food ingredients for human consumption except prepared food, alcoholic beverages, candy, dietary supplements, and tobacco, from the state sales and use tax beginning January 1, 2012. - Amends TCA Title 67, Chapter 6. by *McDonald, Bass.

House Bill No. 361 -- Marriage - As introduced, adds notaries public to those who may solemnize marriages. - Amends TCA Title 8, Chapter 16 and Title 36, Chapter 3. by *Sparks.

House Bill No. 362 -- Taxes, Sales - As introduced, creates sales and use tax exemption for purchase of building supplies for construction of storm or tornado shelters purchased between July 1, 2011, and December 31, 2011. - Amends TCA Title 67, Chapter 6. by *Sparks.

House Bill No. 363 -- Tort Liability and Reform - As introduced, enacts the "Jobs Creation Lawsuit Reform Act." - Amends TCA Title 20; Title 22; Title 24; Title 28; Title 29; Title 47 and Title 63. by *Dennis.

***House Bill No. 364** -- Campaigns and Campaign Finance - As introduced, requires candidates and political campaign committees to report any contribution received or expenditure made to the registry of election finance within 14 days. - Amends TCA Title 2, Chapter 10, Part 1. by *Pitts.

***House Bill No. 365** -- Human Services, Dept. of - As introduced, requires the department of human services to establish a mandatory drug screening program for adult recipients of Families First in order for adults to be eligible for the program. - Amends TCA Title 71. by *Campbell.

***House Bill No. 366** -- Public Printing - As introduced, bans all use of color printers by state agencies, departments and commissions with certain exceptions. - Amends TCA Title 4, Chapter 56, Part 1; Title 12, Chapter 7 and Title 12, Chapter 5, Part 1. by *Campbell.

***House Bill No. 367** -- Teachers, Principals and School Personnel - As introduced, allows the board of education to grant teachers tenure at any time between their third and tenth years of service; eliminates judicial review of decision to suspend or dismiss a teacher for incompetence, inefficiency, neglect of duty, unprofessional conduct or insubordination. - Amends TCA Title 49. by *Dunn.

***House Bill No. 368** -- Teachers, Principals and School Personnel - As introduced, protects a teacher from discipline for teaching scientific subjects in an objective manner. - Amends TCA Title 49, Chapter 6, Part 10. by *Dunn.

House Bill No. 369 -- Health Care - As introduced, enacts the Health Care Compact. - Amends TCA Title 4; Title 33; Title 63; Title 68 and Title 71. by *White, Shipley, Casada, Carr, Williams K, Evans.

House Bill No. 370 -- Consumer Protection - As introduced, requires gift certificates with a monetary value of less than \$10.00 to be redeemable in cash for cash value. - Amends TCA Title 47, Chapter 18. by *Turner M.

***House Bill No. 371** -- Municipal Government - As introduced, removes the authority for a municipality to build powder magazines at a safe and prudent distance from the limits of the corporation. - Amends TCA Title 6. by *Haynes.

***House Bill No. 372** -- Local Government, General - As introduced, increases the penalty for failure to pay a special assessment or installment levied by a local government on property located within a central business improvement district from 0.5% per month of the amount of such assessment or installment to 1%. - Amends TCA Title 7. by *Haynes.

House Bill No. 373 -- Public Health - As introduced, requires addition of a screen for critical cyanotic congenital heart disease to the screen panel for newborns. - Amends TCA Title 68. by *Haynes.

***House Bill No. 374** -- Orders of Protection - As introduced, deletes requirement that local law enforcement enter order of protection or dismissal of order into the Tennessee crime information system. - Amends TCA Section 36-3-609. by *Haynes.

***House Bill No. 375** -- Criminal Offenses - As introduced, adds attempting or intending to cause bodily injury by strangulation to the definition of aggravated assault. - Amends TCA Section 39-13-102. by *Haynes.

***House Bill No. 376** -- Election Laws - As introduced, changes the timing and manner in which members of the county election commission are required to inspect new voter registration forms. - Amends TCA Section 2-2-120. by *Haynes.

***House Bill No. 377** -- Election Laws - As introduced, exempts the purging of a person's voter registration after a change of name due to a divorce. - Amends TCA Section 2-2-106. by *Haynes.

***House Bill No. 378** -- Election Laws - As introduced, removes election officials legislative district residency requirement to serve but requires such officials to reside in the county in which they are appointed to serve. - Amends TCA Section 2-4-103. by *Haynes.

House Bill No. 379 -- Traffic Safety - As introduced, requires notices of citations based on surveillance cameras to include opportunity to view photographic or video evidence; exempts certain motor vehicles from such violations; requires reporting by cities and counties operating traffic enforcement camera programs. - Amends TCA Title 55, Chapter 8. by *Hawk.

***House Bill No. 380** -- Environment and Conservation, Department of - As introduced, requires the state to assume responsibility to regulate effluents during any period in which the federal government is unable to exercise its responsibilities because of inadequate funds to operate the appropriate regulatory agencies. - Amends TCA Title 68 and Title 69. by *Hawk.

***House Bill No. 381** -- Criminal Offenses - As introduced, prohibits specified ticket scalping activities. - Amends TCA Title 39, Chapter 17, Part 11. by *Moore.

***House Bill No. 382** -- Taxes, Inheritance Gift - As introduced, effective 2012, increases from \$1,000,000 to \$1,750,000 the maximum exemption against net estate; requires amount be adjusted for inflation every three years; requires publication and notification of any change. - Amends TCA Title 67, Chapter 8. by *Moore.

***House Bill No. 383** -- Motor Vehicles, Titling and Registration - As introduced, authorizes Davidson County clerk to perform vehicle inspections, and collect a fee up to \$37.50 for such inspection, prior to issuing certificate of title for a rebuilt motor vehicle. - Amends TCA Title 55, Chapter 3, Part 2. by *Turner M, Jones S, Gilmore, Sontany, Stewart, Pruitt, Moore, Odom.

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***House Bill No. 384** -- Civil Procedure - As introduced, removes judicial discretion to apportion costs between the parties and clarifies that the prevailing party is entitled to recover costs. - Amends TCA Title 20; Title 25; Title 27; Title 29, Chapter 11; Title 29, Chapter 34 and Title 29, Chapter 5. by *Marsh.

***House Bill No. 385** -- Public Contracts - As introduced, increases the amount the superintendent of an urban type public facility may purchase without approval of the governing authority from \$500 to \$10,000 and increases the amount of construction contracts from \$2,000 to \$10,000 for which the superintendent must advertise for bids. - Amends TCA Section 5-16-105. by *Marsh.

***House Bill No. 386** -- Election Laws - As introduced, delays the implementation of the Tennessee Voter Confidence Act until the general assembly includes a specific appropriation in the general appropriations act to cover all increased costs to counties directly attributable to such act. - Amends TCA Title 2. by *Dunn, Hurley.

***House Bill No. 387** -- Education - As introduced, provides scholarship aid to students with special needs to permit parents of such students to choose schools, either public or private, that their children will attend. - Amends TCA Title 49 and Title 67. by *Dunn.

***House Bill No. 388** -- Education - As introduced, enacts the "Equal Opportunity Scholarship Act." - Amends TCA Title 49, Chapter 6. by *Dunn.

House Bill No. 389 -- Public Health - As introduced, requires the governor to designate one day each year as Autism Awareness Recognition Day. - Amends TCA Title 4. by *Montgomery.

House Bill No. 390 -- Basic Education Program (BEP) - As introduced, requires the director of legislative budget analysis to report to the speakers of the house of representatives and the senate and to the house and senate education committees if the commissioner of education fails to provide the director with the revised BEP funding formula for the ensuing fiscal year by January 1. - Amends TCA Title 3; Title 4; Title 8; Title 37 and Title 49. by *Montgomery.

House Bill No. 391 -- DUI Offenses - As introduced, increases the minimum time that a driver license may be revoked for third and fourth and subsequent DUI convictions from three and five years to six and eight years. - Amends TCA Title 55, Chapter 10, Part 4. by *Montgomery.

House Bill No. 392 -- Polk County - As introduced, subject to local approval, revises procedure for determining the tax on the privilege of participating in an amusement; to be determined annually by the county legislative body in accordance with established criteria, rather than imposing a set fee. - Amends Chapter 2 of the Private Acts of 1981; as amended. by *Watson.

House Bill No. 393 -- Election Laws - As introduced, requires citizenship status to be proven prior to registration to vote and requires certain procedures to ensure identity and citizenship status prior to voting. - Amends TCA Title 2. by *Watson.

House Bill No. 394 -- Special License Plates - As introduced, authorizes issuance of new specialty earmarked license plates honoring Tennessee's veterans; allocates 50 percent of revenues produced from the sale thereof to state veterans' homes in Bradley and Montgomery counties. - Amends TCA Title 55, Chapter 4. by *Watson.

***House Bill No. 395** -- Law Enforcement - As introduced, provides that a retired law enforcement officer who has been certified to carry a firearm has to be recertified every four years instead of annually but such officer is only permitted to carry the firearm within the state of Tennessee. - Amends TCA Title 38, Chapter 8, Part 1. by *Watson.

***House Bill No. 396** -- Victims' Rights - As introduced, requires governor to notify attorney general and appropriate district attorney at least 10 days before any act of executive clemency is made public and requires district attorney to notify the victim of the offense for which the person was convicted. - Amends TCA Title 40, Chapter 27. by *Watson.

House Bill No. 397 -- Mental Illness - As introduced, provides that it is the responsibility of the original transporting sheriff to transport a person certified for admission to a hospital or treatment resource facility to such hospital if it is located in a county other than the county in which the mental health assessment occurred. - Amends TCA Title 33, Chapter 6, Parts 4 and 9. by *Watson.

House Bill No. 398 -- Criminal Offenses - As introduced, increases the fine for assaulting a sports official of a school sponsored activity to \$5,000. - Amends TCA Title 39, Chapter 13, Part 1. by *Watson.

House Bill No. 399 -- Local Education Agencies - As introduced, prohibits an LEA or school within an LEA from conditioning a student's attendance at an activity or trip upon whether the student made a lump sum contribution to the school or sold a required amount of fund-raising products or merchandise. - Amends TCA Title 49, Chapter 2, Part 1. by *Watson.

***House Bill No. 400** -- Sentencing - As introduced, removes exception allowing a defendant not otherwise eligible to be sentenced to community correction rather than incarceration if the defendant has special needs that are best treatable in the community. - Amends TCA Title 40, Chapter 36. by *Watson.

***House Bill No. 401** -- Criminal Procedure - As introduced, enacts the "Exclusionary Rule Reform Act." - Amends TCA Title 40, Chapter 6, Part 1. by *Watson.

House Bill No. 402 -- Election Laws - As introduced, requires a voter to present qualified photographic identification before voting; voters without proper identification shall be allowed to cast provisional ballots. - Amends TCA Title 2, Chapter 7, Part 1. by *Watson.

House Bill No. 403 -- Special License Plates - As introduced, creates new specialty license plate for SpiritHorse Therapeutic Riding; allocates funds from the sale of the plates to allow children with special needs to work with horses. - Amends TCA Title 55, Chapter 4. by *Watson.

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House Bill No. 404 -- Public Contracts - As introduced, authorizes county governments to adopt local preference purchasing policies. - Amends TCA Title 12, Chapter 3. by *Watson.

House Bill No. 405 -- Taxes, Exemption and Credits - As introduced, authorizes a sales and use tax exemption on purchases made by any veteran with a 100 percent permanent total disability. - Amends TCA Title 67, Chapter 6, Part 3. by *Watson.

House Bill No. 406 -- Wine & Wineries - As introduced, creates an additional class of licenses allowing the sale of wine at certain retail food stores; requires person purchasing wine at certain retail food stores to present photo identification. - Amends TCA Title 57, Chapter 1 and Title 57, Chapter 3. by *Lundberg, Shepard, Casada, Richardson, Armstrong.

House Bill No. 407 -- Mental Health, Dept. of - As introduced, requires the chief officer of a hospital or other residential service facility to provide notice of admission to a recipient's attorney-in-fact acting under a durable power of attorney for health care; prohibits a treatment review committee from overriding a decision made by the attorney-in-fact. - Amends TCA Title 33. by *Halford.

House Bill No. 408 -- Highways, Roads and Bridges - As introduced, requires the chief administrative road supervisor to file a complete inventory of all machinery, equipment, tools, supplies, and materials with the county legislative body and the county mayor within 75 days after taking office instead of 60 days, and thereafter to file a revised current inventory by September 1 of each year. - Amends TCA Title 54. by *Johnson P.

House Bill No. 409 -- Safety - As introduced, deletes repealed citation from the records disclosure act and clarifies that highly restricted personal information shall not be sold to any person. - Amends TCA Title 55. by *Johnson P.

House Bill No. 410 -- Transportation, Dept. of - As introduced, revises duties of the commissioner to require the estimated dollar amount needed to implement the long-range and coordinated statewide transportation plan be reported to the general assembly every year or more frequently as the commissioner may determine. - Amends TCA Title 4 and Title 54. by *Johnson P.

House Bill No. 411 -- Public Contracts - As introduced, indexes to the consumer price index as published by the U.S. bureau of labor statistics amount of contracts in excess of \$100,000 for public work which require a 25 percent bond of the contract price be executed. - Amends TCA Title 12. by *Johnson P.

***House Bill No. 412** -- Education, Higher - As introduced, places burden of proof on agency taking disciplinary action at each step when disciplining a higher education employee, and for final step requires administrative law judge from secretary of state hear the case. - Amends TCA Title 49. by *Coley.

***House Bill No. 413** -- County Officers - As introduced, prohibits the constitutional county officers from holding any other local or state public office for profit during such official's term of office; applies whether the official was appointed to fill a term or elected to serve a full or partial term. - Amends TCA Title 5 and Section 8-8-101. by *Casada.

***House Bill No. 414** -- Election Laws - As introduced, repeals the Tennessee Voter Confidence Act. - Amends TCA Title 2, Chapter 1, Part 1; Title 2, Chapter 20. by *Casada.

***House Bill No. 415** -- Orders of Protection - As introduced, clarifies that order of protection issued pursuant to title 36, chapter 3, part 6, may require respondent to immediately and temporarily vacate a residence shared with the petitioner pending a hearing on the matter. - Amends TCA Title 36, Chapter 3, Part 6. by *Gotto.

House Bill No. 416 -- Child Custody and Support - As introduced, prohibits changing of custodial arrangements due to an order of protection against the custodial parent unless the child is the victim of child abuse or the effects of domestic violence. - Amends TCA Title 36, Chapter 6. by *Hardaway.

House Bill No. 417 -- Domestic Relations - As introduced, authorizes use of discovery to aid in defense of petition for protective order. - Amends TCA Title 19; Title 20; Title 36, Chapter 3 and Title 40. by *Hardaway.

House Bill No. 418 -- Child Custody and Support - As introduced, authorizes parent or guardian who pays for supervision of child visitation to select provider of supervision services. - Amends TCA Title 36, Chapter 6. by *Hardaway.

House Bill No. 419 -- Child Custody and Support - As introduced, authorizes man who has paid child support for a child who is not his biological child to recover such child support from the biological father. - Amends TCA Section 36-2-309. by *Hardaway.

House Bill No. 420 -- Divorce, Annulment and Alimony - As introduced, authorizes defendant in divorce case to request one automatic recusal of the judge assigned to hear the case. - Amends TCA Title 17; Title 20 and Title 36, Chapter 4. by *Hardaway.

House Bill No. 421 -- Child Custody and Support - As introduced, requires fees over \$500 collected for child support be paid by obligor and recipient of the child support payments. - Amends TCA Title 36. by *Hardaway.

House Bill No. 422 -- Child Custody and Support - As introduced, entitles either party to a visitation agreement to file a petition for an expedited hearing pursuant to the provisions governing expedited hearings for support and reduces period of time for non-compliance with an order of visitation from six months to three months. - Amends TCA Title 36, Chapter 6 and Title 36, Chapter 5. by *Hardaway.

House Bill No. 423 -- Child Custody and Support - As introduced, creates rebuttable presumption that shared custody is in child's best interest. - Amends TCA Title 36, Chapter 6, Part 1. by *Hardaway.

***House Bill No. 424** -- Public Records - As introduced, makes all records pertaining to licensure or registration by owners of security systems held or kept by a governmental entity confidential; includes all information, photos, presentations, schematics and surveys. - Amends TCA Title 10, Chapter 7. by *Marsh.

***House Bill No. 425** -- Safety - As introduced, defines the term "alarm verification" for purposes of the Alarm Contractors Licensing Act. - Amends TCA Title 62. by *Marsh.

***House Bill No. 426** -- Highway Signs - As introduced, designates segment of S.R. 53 in Gainesboro and Jackson County as "William Benson "Ben" Wooten, II Memorial Highway." by *Keisling.

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***House Bill No. 427** -- Administrative Procedure (UAPA) - As introduced, requires agencies to report fines of more than \$1,000 and suspensions and revocations of licenses for more than seven days to the government operations committees within 72 hours. - Amends TCA Title 4, Chapter 5. by *Ford .

***House Bill No. 428** -- General Assembly - As introduced, creates a joint committee to evaluate acute adverse action taken by state agencies and requires that state agencies report such action to the committee. - Amends TCA Title 3 and Title 4, Chapter 5. by *Ford .

***House Bill No. 429** -- Special License Plates - As introduced, authorizes persons eligible for disabled driver license plates who receive new specialty earmarked plates to obtain a decal to affix to such specialty plates; and recognizes plates with affixed decals as disabled driver plates. - Amends TCA Title 55, Chapter 21 and Title 55, Chapter 4. by *Hill.

***House Bill No. 430** -- Traffic Safety - As introduced, requires fines from certain traffic enforcement cameras be placed in a dedicated fund for permanent public works projects. - Amends TCA Title 5; Title 6; Title 7 and Title 55, Chapter 8. by *Hill.

***House Bill No. 431** -- Taxes, Sales - As introduced, contingent upon availability of certain amount of surplus revenues, reduces sales tax rate on food by .5 percent in next fiscal year. - Amends TCA Title 67, Chapter 6. by *Hill.

***House Bill No. 432** -- Education - As introduced, requires schools to notify parents, by way of student handbooks or policy guidebooks, of school-associated extracurricular activities and gives parents the opportunity to prohibit their child from participating. - Amends TCA Title 49, Chapter 6. by *Hill.

***House Bill No. 433** -- Abortion - As introduced, clarifies that abortions performed during viability of the fetus must be performed in a hospital. - Amends TCA Title 37, Chapter 10, Part 3; Title 39, Chapter 15, Part 2 and Title 68, Chapter 11, Part 2. by *Hill.

***House Bill No. 434** -- Abortion - As introduced, clarifies that abortions performed during viability of the fetus must be performed in a hospital. - Amends TCA Title 39, Chapter 15, Part 2 and Title 68, Chapter 11, Part 2. by *Hill.

***House Bill No. 435** -- Hospitals and Health Care Facilities - As introduced, revises requirements applicable to ambulatory surgical treatment centers in which abortions are performed in regard to required insurance coverage, requirements for the administrator of the facility and the civil penalties for violations. - Amends TCA Title 37, Chapter 10, Part 3; Title 39, Chapter 15, Part 2 and Title 68, Chapter 11, Part 2. by *Hill.

***House Bill No. 436** -- Hospitals and Health Care Facilities - As introduced, revises requirements applicable to ambulatory surgical treatment centers in which abortions are performed in regard to required insurance coverage, requirements for the administrator of the facility and the civil penalties for violations. - Amends TCA Title 39, Chapter 15, Part 2 and Title 68, Chapter 11, Part 2. by *Hill.

***House Bill No. 437** -- Traffic Safety - As introduced, deletes requirement that vehicle making right turn on red signal come to full and complete stop prior to making such turn. - Amends TCA Title 55, Chapter 8. by *Hill.

House Bill No. 438 -- Health, Dept. of - As introduced, clarifies that when continuing, restructuring, or reestablishing a board, commission, committee, agency or other governmental entity under the division of health related boards that such activity be done in accord with the requirements of title 63 and the Uniform Administrative Procedures Act. - Amends TCA Title 63. by *Hill.

House Bill No. 439 -- Senior Citizens - As introduced, requires the executive director of the commission on aging and disability to provide appropriate advice and support to the bureau of TennCare concerning the Long-Term Care Community Choices Act of 2008. - Amends TCA Title 71. by *Hill.

House Bill No. 440 -- Health, Dept. of - As introduced, clarifies the legislative committees designated to receive information concerning TANF and Medicaid. - Amends TCA Title 68. by *Hill.

House Bill No. 441 -- Intellectual & Developmental Disabilities - As introduced, clarifies that licensing of facilities for the intellectually and developmentally disabled shall be the sole responsibility of the department of mental health. - Amends TCA Title 4; Title 33 and Title 71. by *Hill.

House Bill No. 442 -- Mental Health, Dept. of - As introduced, changes the requirement that the statewide planning and policy council meet at least quarterly to meeting at least twice each year. - Amends TCA Title 33. by *Hill.

House Bill No. 443 -- Dentists and Dentistry - As introduced, requires the board of dentistry to report to the select committee on children and youth on the availability of dental services to children and the adequacy of the supply of pediatric dentists. - Amends TCA Title 63. by *Hill.

***House Bill No. 444** -- Unemployment Compensation - As introduced, excludes certain casual labor not in the course of an employer's trade or business from coverage under employment security law. - Amends TCA Title 50, Chapter 7. by *Marsh.

***House Bill No. 445** -- Food and Food Products - As introduced, prohibits sale of food and beverages in certain containers containing bisphenol A. - Amends TCA Title 47, Chapter 18; Title 53 and Title 68. by *Gilmore.

House Bill No. 446 -- DUI Offenses - As introduced, increases the application fee for a restricted license, after having a driver license suspended based on a failure by a driver to submit to tests determining blood alcohol content, from \$20.00 to \$50.00; increases the fine for both the offense and the delinquent act of underage driving while impaired from \$250 to \$500. - Amends TCA Title 39; Title 40; Title 41 and Title 55. by *Gilmore.

***House Bill No. 447** -- Criminal Offenses - As introduced, criminalizes possession of certain weapons on the property of a housing project. - Amends TCA Title 32 and Title 39, Chapter 17. by *Gilmore.

***House Bill No. 448** -- School Transportation - As introduced, requires any school bus purchased on or after July 1, 2011, to have an approved restraint system; requires all school buses in use after July 1, 2023, to have an approved restraint system. - Amends TCA Title 49, Chapter 6, Part 21. by *Gilmore.

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House Bill No. 449 -- Therapists, Physical and Occupational - As introduced, requires the board of physical therapy to meet not less than quarterly. - Amends TCA Title 63, Chapter 13. by *Ramsey.

***House Bill No. 450** -- Hospitals and Health Care Facilities - As introduced, increases from \$500 to \$1,000 the maximum civil penalty that may be imposed each day that a person performs any activity that requires a certificate of need without first obtaining the required certificate of need. - Amends TCA Title 68. by *Harrison, Roach.

***House Bill No. 451** -- Hospitals and Health Care Facilities - As introduced, allows the commissioner of health to bring an action to enforce a civil penalty assessed against a deficient nursing home in general sessions court as well as in circuit or chancery court. - Amends TCA Title 68. by *Harrison, Roach.

***House Bill No. 452** -- TennCare - As introduced, adds an additional element to the actuarial study of TennCare to include an analysis of the effect of reduction of payments to providers on the provision of care. - Amends TCA Title 71. by *Harrison, Roach.

***House Bill No. 453** -- County Government - As introduced, restricts the ability of a county legislative body to eliminate line items included in a budget submitted by the administrator of elections. - Amends TCA Title 2, Chapter 12, Part 1 and Title 5. by *Weaver.

House Bill No. 454 -- Driver Licenses - As introduced, requires that all written examinations for a driver license or intermediate driver license be in English. - Amends TCA Title 55, Chapter 50, Part 3. by *Butt, Watson.

House Bill No. 455 -- Alcoholic Beverages - As introduced, allows Blue Porch Bed and Breakfast to sell alcoholic beverages for consumption on premises. - Amends TCA Section 57-4-102 and Section 57-4-101. by *Carr.

House Bill No. 456 -- Welfare - As introduced, prohibits persons convicted of a felony drug offense on and after July 1, 2011, from being eligible for receiving Families First benefits [TANF] and food stamps. - Amends TCA Title 71. by *Carr.

House Bill No. 457 -- Drugs, Over the Counter - As introduced, creates Class A misdemeanor of producing, manufacturing, selling or offering to sell any product containing any of six listed synthetic derivatives or analogues of the Schedule I controlled substance methcathinone. - Amends TCA Title 39, Chapter 17, Part 4. by *Williams R, Brooks K, Sexton, White, Rich, Ragan, Cobb , Keisling, Curtiss, Sparks, Casada, Hensley, Maggart, Hall.

***House Bill No. 458** -- Taxes, Ad Valorem - As introduced, abolishes eligibility for carryovers for purposes of ad valorem tax equity payments made to telecommunications service providers. - Amends TCA Section 67-6-103; Section 67-6-221 and Section 67-6-222. by *McDaniel.

***House Bill No. 459** -- Taxes, Real Property - As introduced, authorizes provisional approval of applications for property tax exemption for property owned by religious, charitable, scientific or nonprofit educational institutions; revises certain requirements related to that exemption. - Amends TCA Section 67-5-212. by *Todd.

***House Bill No. 460** -- Tennessee Housing Development Agency - As introduced, changes membership of audit and budget committee of THDA by replacing the comptroller of the treasury with the state treasurer. - Amends TCA Section 13-23-112. by *Brooks K.

***House Bill No. 461** -- Equalization Board - As introduced, authorizes state board of equalization to maintain certain records in electronic format; revises requirements for form of complaints and appeals filed with the board. - Amends TCA Section 67-5-1412; Section 67-5-1512 and Section 67-5-1513. by *McCormick.

***House Bill No. 462** -- Taxes - As introduced, adds certain rights regarding challenges and refunds to the Taxpayer Bill of Rights; revises procedures regarding disputed taxes. - Amends TCA Title 67, Chapter 1, Part 1 and Title 67, Chapter 1, Part 18. by *McDaniel.

***House Bill No. 463** -- University of Tennessee - As introduced, authorizes the board of trustees to undertake certain endeavors in regard to foundations established to support the university. - Amends TCA Title 49, Chapter 9, Part 1. by *Maggart.

***House Bill No. 464** -- Taxes, Real Property - As introduced, revises provisions governing obligation to pay property taxes during an assessment appeal. - Amends TCA Section 67-5-1512. by *Haynes.

***House Bill No. 465** -- Public Records - As introduced, clarifies that auditee records, intra-agency and interagency communications, draft reports, schedules, notes, memoranda and other records relating to an audit or investigation are confidential and not open for public inspection. - Amends TCA Title 4, Chapter 3, Part 3 and Title 10, Chapter 7, Part 5. by *Watson.

***House Bill No. 466** -- Annexation - As introduced, requires annexing municipality to record adopted or approved annexation ordinance or resolution with register of deeds in counties where annexation adopted or approved; copy to be sent to comptroller and assessor of property for each affected county. - Amends TCA Title 6, Chapter 51, Part 1. by *Todd.

***House Bill No. 467** -- Taxes, Ad Valorem - As introduced, revises deadlines for filing applications for refunds or presentments of credit vouchers; clarifies that repayment not required if certain persons determined to be eligible are later found to be ineligible for property tax relief. - Amends TCA Title 67, Chapter 5, Part 7. by *Lundberg.

***House Bill No. 468** -- Taxes, Personal Property - As introduced, for purposes of property tax classification and assessment, provides that real property does not include property determined by Tennessee courts to be personal property. - Amends TCA Title 67. by *Hawk.

***House Bill No. 469** -- Taxes - As introduced, authorizes certain courts to attach a copy of the court's order to the tax books under certain circumstances. - Amends TCA Title 67. by *Hawk.

House Bill No. 470 -- Pensions and Retirement Benefits - As introduced, improves retirement benefits of certain Tennessee public employees. - Amends TCA Title 8, Chapter 36. by *Pitts.

***House Bill No. 471** -- Lottery, Scholarships and Programs - As introduced, sets awards from net lottery proceeds for certain postsecondary scholarships and grants at the amount the student initially received or at the amount awarded for initial recipients in the current semester of enrollment, whichever is greater. - Amends TCA Title 4, Chapter 51, Part 1 and Title 49, Chapter 4, Part 9. by *Pitts.

***House Bill No. 472** -- Election Laws - As introduced, requires the state election coordinator to conduct a feasibility study to permit registered voters who reside outside the precinct listed as their permanent residence on their permanent voter registration card to vote only for candidates running for statewide office. by *Pitts.

House Bill No. 473 -- Cooperatives - As introduced, adds costs of certain printing equipment to current list of costs for which municipal electric plants may charge for production of certain maps as a public record. - Amends TCA Title 7, Chapter 52. by *Pitts.

***House Bill No. 474** -- Lottery, Scholarships and Programs - As introduced, allows a student with a documented medical disability that restricts the student's attendance to part-time to petition for an extension of time in which to receive a Tennessee HOPE scholarship. - Amends TCA Title 49, Chapter 4, Part 9. by *Matheny.

***House Bill No. 475** -- Criminal Offenses - As introduced, changes the standards by which a person is considered to be driving under the influence. - Amends TCA Title 55, Chapter 10, Part 4. by *Curtiss.

***House Bill No. 476** -- Alcohol Offenses, Motor Vehicles - As introduced, allows law enforcement to use reasonable force when causing certain people to submit to a test of their bodily fluid. - Amends TCA Section 55-10-406. by *Curtiss.

***House Bill No. 477** -- Criminal Offenses - As introduced, creates the offense of internal possession of a controlled substance for producing a dirty drug test; punishes the offense in accordance with the same provisions governing simple possession. - Amends TCA Title 39, Chapter 17, Part 4. by *Curtiss.

***House Bill No. 478** -- Public Contracts - As introduced, requires certain commissioners and agency heads to certify to comptroller that state employees could not have been used instead of contracting with outside entities in rendering services required under certain contracts. - Amends TCA Title 4; Title 8 and Title 12. by *Curtiss.

***House Bill No. 479** -- Utilities, Utility Districts - As introduced, authorizes a water utility district in the eastern portion of White County with over 1,000 customers to change the manner in which vacancies are filled and commissioners are selected. - Amends TCA Title 7, Chapter 82. by *Curtiss.

***House Bill No. 480** -- Contractors - As introduced, makes it a violation of the Consumer Protection Act for a contractor to require a person to waive a right of lien in violation of law. - Amends TCA Title 47, Chapter 18; Title 47, Chapter 25; Title 62, Chapter 6 and Title 66. by *Curtiss.

***House Bill No. 481** -- Contractors - As introduced, authorizes all required notices and answers concerning administrative actions to be served or filed personally or by certified mail; if served personally the time runs from the date of service and if by certified mail from the postmarked date. - Amends TCA Title 62, Chapter 6. by *Curtiss.

House Bill No. 482 -- Taxes, Business - As introduced, authorizes department of revenue to contract with private entities, in addition to present authority to contract with county or municipality officials, for collection of delinquent business taxes. - Amends TCA Title 67, Chapter 4, Part 7. by *Sargent, Eldridge, Lundberg, Stewart, Tindell, Marsh.

House Bill No. 483 -- Taxes, Personal Property - As introduced, removes loan companies and cemetery companies from requirements of intangible personal property taxes. - Amends TCA Title 67, Chapter 5, Part 11. by *Sargent, *Eldridge, *Lundberg, *Stewart, *Tindell, *Marsh.

***House Bill No. 484** -- DUI Offenses - As introduced, lowers the DUI enhancement that would require an ignition interlock from .15 percent to .08 percent and removes the DUI enhancements that would require an ignition interlock relative to implied consent. - Amends TCA Title 38; Title 39; Title 40 and Title 55. by *Shipley.

***House Bill No. 485** -- Highway Signs - As introduced, names "SPC Michael E. Harr Memorial Bridge" on S.R. 126 in Sullivan County. by *Shipley.

***House Bill No. 486** -- Highway Signs - As introduced, names "Orville Depew 'Dick' Kitzmiller and Riley Lee Milhorn Memorial Bridge," on S.R. 75 in Sullivan County. by *Shipley.

***House Bill No. 487** -- Administrative Procedure (UAPA) - As introduced, allows the respondent in a contested case to continue the date of the first scheduled hearing until both parties certify that they are ready for the hearing; allows either party to make a motion to set the hearing if unreasonable delay occurs. - Amends TCA Title 4. by *Dennis.

***House Bill No. 488** -- Civil Procedure - As introduced, increases from \$200 to \$500 the amount of indebtedness that requires newspaper advertisements, three different times, announcing a pending court-ordered judicial sale. - Amends TCA Title 35. by *Dennis.

House Bill No. 489 -- Education - As introduced, requires state board of education to modify uniform high school grading system to allow for the awarding of pluses and minuses on letter grades. - Amends TCA Section 49-1-302; Section 49-6-407; Title 49, Chapter 4, Part 9; Title 49, Chapter 7, Part 1; Title 49, Chapter 8, Part 1 and Title 49, Chapter 9, Part 1. by *Dunn.

***House Bill No. 490** -- Workers Compensation - As introduced, adds language to not construe any limitations on obtaining compensation under the workers' compensation statute to limit third party actions against tort-feasors. - Amends TCA Title 50. by *Eldridge.

***House Bill No. 491** -- Bankruptcy - As introduced, clarifies that the notice of exemption given by a judgment debtor shall state "Tennessee law provides a \$10,000 exemption" instead of "Tennessee law provides a \$4,000 exemption." - Amends TCA Title 26. by *Eldridge.

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***House Bill No. 492** -- Hospitals and Health Care Facilities - As introduced, extends for two years the nursing home privilege tax and restricts the use of such tax revenues to the funding of nursing home rates. - Amends TCA Title 68, Chapter 11, Part 2. by *Harrison, Casada, Tindell.

***House Bill No. 493** -- Hospitals and Health Care Facilities - As introduced, extends the current moratorium on the issuance of certificates of need (CONs) for new nursing home beds until June 30, 2013. - Amends TCA Title 68, Chapter 11, Part 16. by *Harrison, Casada, Tindell.

***House Bill No. 494** -- Taxes, Sales - As introduced, exempts from sales tax the sale of motor vehicles to active duty members of the armed forces stationed in Tennessee but on temporary duty assignment in another state. - Amends TCA Section 67-6-303. by *Dean.

House Bill No. 495 -- Environment and Conservation, Department of - As introduced, transfers jurisdiction of Off-Highway Vehicle Act from wildlife resources agency to department of environment and conservation. - Amends TCA Title 11; Title 68 and Title 70. by *Faison.

***House Bill No. 496** -- Professions and Occupations - As introduced, provides for licensure or certification of radiology practitioner assistants as radiologist assistants. - Amends TCA Title 63. by *Evans.

House Bill No. 497 -- Economic and Community Development - As introduced, requires the development of a logo or seal to promote products and goods, other than agricultural products, made in Tennessee. - Amends TCA Title 4, Chapter 3, Part 7. by *Evans.

***House Bill No. 498** -- Criminal Offenses - As introduced, specifies that when a defendant commits a homicide or assault against a pregnant woman, the woman's fetus, regardless of viability, is also considered a victim of the offense. - Amends TCA Section 39-13-107 and Section 39-13-214. by *Evans.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 25** -- Local Education Agencies - As introduced, prescribes certain procedures to govern the abolition of certain special school districts. - Amends TCA Title 49, Chapter 2. by *Norris. (HB51 by *Todd, Lollar, White, McManus, Coley)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 116** -- Consumer Protection -- House Consumer & Employees Affairs Committee

***House Bill No. 117** -- Animal Control -- House Agriculture Committee

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***House Bill No. 118** -- Schools, Charter -- House Education Committee

House Bill No. 119 -- Parks, Natural Areas Preservation -- House Conservation & Environment Committee

House Bill No. 120 -- Motor Vehicles -- House Transportation Committee

***House Bill No. 121** -- Alcoholic Beverages -- House State & Local Government Committee

***House Bill No. 122** -- Income Tax -- House Finance, Ways & Means Committee

***House Bill No. 123** -- Unemployment Compensation -- House Consumer & Employees Affairs Committee

***House Bill No. 124** -- Zoning -- House State & Local Government Committee

***House Bill No. 125** -- Annexation -- House State & Local Government Committee

***House Bill No. 126** -- Zoning -- House State & Local Government Committee

***House Bill No. 127** -- Planning, Public -- House State & Local Government Committee

***House Bill No. 128** -- Safety -- House Commerce Committee

***House Bill No. 129** -- Motor Vehicles -- House Transportation Committee

***House Bill No. 130** -- Teachers, Principals and School Personnel -- House Education Committee

***House Bill No. 132** -- Appropriations -- House Finance, Ways & Means Committee

***House Bill No. 133** -- Lottery, Scholarships and Programs -- House Education Committee

***House Bill No. 134** -- Appropriations -- House Finance, Ways & Means Committee

***House Bill No. 136** -- Taxes, Sales -- House Finance, Ways & Means Committee

***House Bill No. 137** -- Taxes, Sales -- House Finance, Ways & Means Committee

***House Bill No. 138** -- DUI Offenses -- House Judiciary Committee

***House Bill No. 139** -- DUI Offenses -- House Judiciary Committee

***House Bill No. 140** -- DUI Offenses -- House Judiciary Committee

***House Bill No. 141** -- DUI Offenses -- House Judiciary Committee

***House Bill No. 142** -- Criminal Offenses -- House Judiciary Committee

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***House Bill No. 143** -- Animal Control -- House Agriculture Committee

***House Bill No. 144** -- Education, Dept. of -- House Education Committee

***House Bill No. 145** -- Education -- House Education Committee

***House Bill No. 146** -- Education, Dept. of -- House Education Committee

***House Bill No. 147** -- Education -- House Education Committee

***House Bill No. 148** -- Economic and Community Development -- House State & Local Government Committee

House Bill No. 149 -- Welfare -- House Health & Human Resources Committee

House Bill No. 150 -- Lottery, Charitable -- House State & Local Government Committee

***House Bill No. 151** -- Criminal Offenses -- House Judiciary Committee

***House Bill No. 152** -- Highway Signs -- House Transportation Committee

House Bill No. 153 -- Motor Vehicles -- House Transportation Committee

House Bill No. 154 -- Sexual Offenses -- House Judiciary Committee

***House Bill No. 155** -- Criminal Procedure -- House Judiciary Committee

***House Bill No. 156** -- Public Officials -- House Judiciary Committee

***House Bill No. 157** -- Drug and Alcohol Rehabilitation -- House Health & Human Resources Committee

House Bill No. 158 -- Air Pollution -- House Conservation & Environment Committee

***House Bill No. 159** -- Public Employees -- House State & Local Government Committee

***House Bill No. 160** -- Campaigns and Campaign Finance -- House State & Local Government Committee

House Bill No. 161 -- Pensions and Retirement Benefits -- House Finance, Ways & Means Committee

***House Bill No. 162** -- Charitable Solicitations -- House Commerce Committee

***House Bill No. 163** -- Workers Compensation -- House Consumer & Employees Affairs Committee

***House Bill No. 164** -- Firearms and Ammunition -- House Judiciary Committee

***House Bill No. 165** -- Utilities, Utility Districts -- House Commerce Committee

WEDNESDAY, FEBRUARY 9, 2011 – THIRD LEGISLATIVE DAY UNOFFICIAL VERSION

- *House Bill No. 166** -- Tennessee Regulatory Authority -- House Commerce Committee
- *House Bill No. 167** -- Sentencing -- House Judiciary Committee
- *House Bill No. 168** -- Sentencing -- House Judiciary Committee
- *House Bill No. 169** -- Sentencing -- House Judiciary Committee
- *House Bill No. 170** -- Lottery, Scholarships and Programs -- House Education Committee
- *House Bill No. 171** -- Forfeiture of Assets -- House Judiciary Committee
- *House Bill No. 172** -- Criminal Offenses -- House Judiciary Committee
- House Bill No. 173** -- Judges and Chancellors -- House Judiciary Committee
- *House Bill No. 174** -- Malpractice -- House Judiciary Committee
- *House Bill No. 175** -- Local Education Agencies -- House Education Committee
- House Bill No. 176** -- Tort Liability and Reform -- House Judiciary Committee
- House Bill No. 177** -- Special License Plates -- House Transportation Committee
- *House Bill No. 178** -- Bail, Bail Bonds -- House Judiciary Committee
- *House Bill No. 179** -- Local Education Agencies -- House Education Committee
- *House Bill No. 180** -- Criminal Offenses -- House Judiciary Committee
- *House Bill No. 181** -- Controlled Substances -- House Health & Human Resources Committee
- *House Bill No. 182** -- Tort Liability and Reform -- House Judiciary Committee
- *House Bill No. 183** -- Tort Liability and Reform -- House Judiciary Committee
- *House Bill No. 184** -- Education -- House Education Committee
- *House Bill No. 185** -- Firearms and Ammunition -- House Judiciary Committee
- *House Bill No. 186** -- Public Health -- House Health & Human Resources Committee
- *House Bill No. 187** -- Vital Records -- House Health & Human Resources Committee
- *House Bill No. 188** -- Criminal Procedure -- House Judiciary Committee
- House Bill No. 189** -- Hazardous Materials -- House Conservation & Environment Committee

WEDNESDAY, FEBRUARY 9, 2011 – THIRD LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 190 -- Food and Food Products -- House Commerce Committee

***House Bill No. 191** -- Highway Signs -- House Transportation Committee

***House Bill No. 192** -- Bond Issues -- House Finance, Ways & Means Committee

***House Bill No. 193** -- Special License Plates -- House Transportation Committee

House Bill No. 194 -- Newspapers and Publications -- House Commerce Committee

***House Bill No. 195** -- Intellectual & Developmental Disabilities -- House Health & Human Resources Committee

***House Bill No. 196** -- Driver Licenses -- House Transportation Committee

***House Bill No. 197** -- Hospitals and Health Care Facilities -- House Health & Human Resources Committee

***House Bill No. 198** -- Pharmacy, Pharmacists -- House Health & Human Resources Committee

***House Bill No. 199** -- Highway Signs -- House Transportation Committee

House Bill No. 200 -- Criminal Offenses -- House Judiciary Committee

House Bill No. 201 -- Professions and Occupations -- House Commerce Committee

***House Bill No. 202** -- Education, Dept. of -- House Education Committee

***House Bill No. 203** -- Education -- House Education Committee

House Bill No. 204 -- Forests and Forest Products -- House Conservation & Environment Committee

House Bill No. 205 -- Unemployment Compensation -- House Consumer & Employees Affairs Committee

House Bill No. 206 -- Disabled Persons -- House Transportation Committee

***House Bill No. 207** -- Hawkins County -- House Commerce Committee

***House Bill No. 208** -- Animal Control -- House Agriculture Committee

***House Bill No. 209** -- Local Government, General -- House State & Local Government Committee

House Bill No. 210 -- Taxes, Inheritance Gift -- House Finance, Ways & Means Committee

House Bill No. 211 -- Professions and Occupations -- House Commerce Committee

WEDNESDAY, FEBRUARY 9, 2011 – THIRD LEGISLATIVE DAY UNOFFICIAL VERSION

- *House Bill No. 212** -- Motor Vehicles -- House Transportation Committee
- *House Bill No. 213** -- Children's Services, Dept. of -- House Agriculture Committee
- *House Bill No. 214** -- Orders of Protection -- House Judiciary Committee
- *House Bill No. 215** -- Orders of Protection -- House Judiciary Committee
- *House Bill No. 216** -- Bail, Bail Bonds -- House State & Local Government Committee
- House Bill No. 217** -- Election Laws -- House State & Local Government Committee
- *House Bill No. 218** -- Fireworks -- House Commerce Committee
- *House Bill No. 219** -- Fireworks -- House Commerce Committee
- *House Bill No. 220** -- Highway Signs -- House Transportation Committee
- House Bill No. 221** -- Special License Plates -- House Transportation Committee
- House Bill No. 222** -- Transportation, Dept. of -- House Transportation Committee
- House Bill No. 223** -- Transportation, Dept. of -- House Transportation Committee
- *House Bill No. 225** -- General Assembly -- House State & Local Government Committee
- *House Bill No. 226** -- Education, Curriculum -- House Education Committee
- *House Bill No. 227** -- Alcoholic Beverages -- House State & Local Government Committee
- *House Bill No. 228** -- Drugs, Over the Counter -- House Judiciary Committee
- House Bill No. 229** -- Education, Curriculum -- House Education Committee
- House Bill No. 230** -- Welfare -- House Health & Human Resources Committee
- House Bill No. 231** -- Courts, Supreme Court of Tennessee -- House Judiciary Committee
- *House Bill No. 232** -- Mental Health, Dept. of -- House Health & Human Resources Committee
- *House Bill No. 233** -- Education, Higher -- House Education Committee
- House Bill No. 234** -- Drugs, Over the Counter -- House Health & Human Resources Committee
- *House Bill No. 235** -- Taxes, Gasoline, Petroleum Products -- House Transportation Committee

***House Bill No. 236** -- Traffic Safety -- House Transportation Committee

***House Bill No. 237** -- Dams -- House Conservation & Environment Committee

***House Bill No. 238** -- Hazardous Materials -- House Transportation Committee

House Bill No. 239 -- Boards and Commissions -- House Government Operations Committee

House Bill No. 240 -- Sunset Laws -- House Government Operations Committee

House Bill No. 241 -- Sunset Laws -- House Government Operations Committee

House Bill No. 242 -- Sunset Laws -- House Government Operations Committee

House Bill No. 243 -- Sunset Laws -- House Government Operations Committee

House Bill No. 244 -- Sunset Laws -- House Government Operations Committee

House Bill No. 245 -- Sunset Laws -- House Government Operations Committee

House Bill No. 246 -- Sunset Laws -- House Government Operations Committee

House Bill No. 247 -- Sunset Laws -- House Government Operations Committee

House Bill No. 248 -- Sunset Laws -- House Government Operations Committee

House Bill No. 249 -- Sunset Laws -- House Government Operations Committee

House Bill No. 250 -- Sunset Laws -- House Government Operations Committee

House Bill No. 251 -- Sunset Laws -- House Government Operations Committee

House Bill No. 252 -- Sunset Laws -- House Government Operations Committee

House Bill No. 253 -- Sunset Laws -- House Government Operations Committee

House Bill No. 254 -- Sunset Laws -- House Government Operations Committee

House Bill No. 255 -- Sunset Laws -- House Government Operations Committee

House Bill No. 256 -- Sunset Laws -- House Government Operations Committee

House Bill No. 257 -- Sunset Laws -- House Government Operations Committee

House Bill No. 258 -- Sunset Laws -- House Government Operations Committee

House Bill No. 259 -- Sunset Laws -- House Government Operations Committee

House Bill No. 260 -- Sunset Laws -- House Government Operations Committee

House Bill No. 261 -- Sunset Laws -- House Government Operations Committee

House Bill No. 262 -- Boards and Commissions -- House Government Operations Committee

House Bill No. 263 -- Audiologists and Speech Pathologists -- House Government Operations Committee

House Bill No. 264 -- Boards and Commissions -- House Government Operations Committee

House Bill No. 265 -- Funeral Directors and Embalmers -- House Government Operations Committee

House Bill No. 266 -- Surveyors -- House Government Operations Committee

House Bill No. 267 -- Optometry -- House Government Operations Committee

House Bill No. 268 -- Veterinarians -- House Government Operations Committee

House Bill No. 269 -- Boards and Commissions -- House Government Operations Committee

House Bill No. 270 -- Solid Waste Disposal -- House Government Operations Committee

House Bill No. 271 -- Water Authorities -- House Government Operations Committee

House Bill No. 272 -- Boards and Commissions -- House Government Operations Committee

***House Bill No. 273** -- Highway Signs -- House Transportation Committee

House Bill No. 274 -- Highway Signs -- House Transportation Committee

***House Bill No. 275** -- Recycling -- House Conservation & Environment Committee

***House Bill No. 276** -- Museums -- House Caption Bills Held on Desk

***House Bill No. 277** -- Health, Dept. of -- House Health & Human Resources Committee

***House Bill No. 278** -- Consumer Protection -- House Caption Bills Held on Desk

***House Bill No. 279** -- Game and Fish Laws -- House Caption Bills Held on Desk

***House Bill No. 280** -- Taxes, Sales -- House State & Local Government Committee

***House Bill No. 281** -- Criminal Offenses -- House Judiciary Committee

***House Bill No. 282** -- State Employees -- House State & Local Government Committee

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***House Bill No. 283** -- Employees, Employers -- House Consumer & Employees Affairs Committee

House Bill No. 284 -- Newspapers and Publications -- House Judiciary Committee

House Bill No. 285 -- Judicial Officers -- House Judiciary Committee

House Bill No. 286 -- Tort Liability and Reform -- House Judiciary Committee

***House Bill No. 287** -- Safety -- House Commerce Committee

***House Bill No. 288** -- Controlled Substances -- House Health & Human Resources Committee

***House Bill No. 289** -- Recycling -- House Conservation & Environment Committee

***House Bill No. 290** -- Water Pollution -- House Conservation & Environment Committee

***House Bill No. 291** -- Water Pollution -- House Conservation & Environment Committee

House Bill No. 292 -- Drugs, Prescription -- House Health & Human Resources Committee

***House Bill No. 293** -- Taxes, Sales -- House Finance, Ways & Means Committee

House Bill No. 294 -- Controlled Substances -- House Health & Human Resources Committee

***House Bill No. 295** -- Taxes, Sales -- House Finance, Ways & Means Committee

***House Bill No. 296** -- Mental Health, Dept. of -- House Health & Human Resources Committee

House Bill No. 297 -- Pharmacy, Pharmacists -- House Health & Human Resources Committee

House Bill No. 298 -- State Employees -- House State & Local Government Committee

REPORTS FROM STANDING COMMITTEES

The committees that met on **February 8, 2011**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **February 10, 2011**: House Bill(s) No(s). 51.

CONSENT CALENDAR

House Resolution No. 6 -- Memorials, Personal Achievement - Matthew Dudiak, Eagle Scout. by *Carr.

House Resolution No. 7 -- Memorials, Personal Achievement - Matthew Owens, Eagle Scout. by *Carr.

House Resolution No. 8 -- Memorials, Personal Achievement - Austen Joseph Kiser, Eagle Scout. by *Carr.

House Resolution No. 9 -- Memorials, Personal Achievement - Brandon Lowery, Eagle Scout. by *Carr.

House Resolution No. 10 -- Memorials, Retirement - Sue Ann Head. by *Sargent, Casada, Johnson P, Gotto.

House Resolution No. 11 -- Memorials, Recognition - National Wear Red Day, February 4, 2011. by *Gilmore.

House Resolution No. 12 -- Memorials, Recognition - National Black HIV Awareness Day, February 7, 2011. by *Gilmore.

House Resolution No. 13 -- Memorials, Recognition - Highland Federal Savings and Loan, 50th anniversary. by *Sexton.

House Joint Resolution No. 21 -- Memorials, Retirement - First Sergeant Terry D. Melton, Tennessee Army National Guard. by *Windle.

House Joint Resolution No. 22 -- Memorials, Recognition - The Dirty Dozen Men's Organization. by *Gilmore.

House Joint Resolution No. 24 -- Memorials, Recognition - Commemorates 25th observance of Martin Luther King, Jr. Day. by *Gilmore.

House Joint Resolution No. 25 -- Memorials, Retirement - Joe Reagan. by *Casada, Sargent.

House Joint Resolution No. 26 -- Memorials, Retirement - Joe Sweeney. by *Casada, Sargent.

House Joint Resolution No. 27 -- Memorials, Retirement - Robert Brooks. by *Harrison.

House Joint Resolution No. 28 -- Memorials, Sports - Surgoinsville Middle School, Area 1 TMSAA Class A Championship. by *Harrison.

House Joint Resolution No. 29 -- Memorials, Personal Occasion - Carl Ketron Bailey, Sr., and Nora Bell Bailey, 50th wedding anniversary. by *Harrison.

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House Joint Resolution No. 30 -- Memorials, Recognition - East Ridge High School marching band's 50th anniversary of the band's first graduating class. by *Dean.

House Joint Resolution No. 34 -- Memorials, Death - Ricky Wayne Woodard, Mayor of Westmoreland. by *McDonald.

House Joint Resolution No. 35 -- Memorials, Recognition - Dr. Chris Jones. by *Roach.

House Joint Resolution No. 36 -- Memorials, Recognition - Armsdale Farm. by *Butt.

House Joint Resolution No. 38 -- Memorials, Recognition - African American Heritage Society's tenth annual "Black Tie Affair" and the tenth anniversary of the opening of the McLemore House Museum. by *Casada, Sargent.

Senate Joint Resolution No. 1 -- Memorials, Retirement - Colonel Mike Walker, Tennessee Highway Patrol. by *Henry, Stewart, Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney L, Ford, Gresham, Haile, Harper, Haynes, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero , McNally, Norris, Overbey, Southerland, Summerville, Tate, Tracy, Watson, Woodson, Yager, Ramsey.

Senate Joint Resolution No. 2 -- Memorials, Death - Monsignor George Rohling. by *Henry, *Haynes, *Harper, Kyle.

Senate Joint Resolution No. 3 -- Memorials, Death - Wayne Whitt. by *Henry, *Haynes, *Harper, Kyle.

Senate Joint Resolution No. 4 -- Memorials, Public Service - Dave Goetz, Commissioner of Finance and Administration. by *Henry, Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney L, Ford, Gresham, Haile, Harper, Haynes, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero , McNally, Norris, Overbey, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Woodson, Yager, Ramsey.

Senate Joint Resolution No. 5 -- Memorials, Death - James Foster Neal. by *Henry, Berke, Haynes, Harper, Faulk, Overbey, Kyle.

Senate Joint Resolution No. 6 -- Memorials, Recognition - Nashville Public Library, 2010 National Medal for Museum and Library Services. by *Henry, Haynes, Harper, Kyle.

Senate Joint Resolution No. 7 -- Memorials, Death - James Ivan Potts. by *Tracy, Henry.

Senate Joint Resolution No. 11 -- Memorials, Death - Roy Skinner. by *Henry, Berke, Haynes, Harper, Herron, Kyle.

Senate Joint Resolution No. 14 -- Memorials, Professional Achievement - Dr. Cheryl Deaton, Tennessee Teacher of the Year. by *Overbey.

Senate Joint Resolution No. 19 -- Memorials, Sports - Volunteer High School marching band winning four first place trophies at the Outback Bowl 2011. by *Faulk.

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Rep. P. Johnson moved that all members voting aye on Senate Joint Resolution No. 1 be added as co-prime sponsors, which motion prevailed.

Rep. Gilmore moved that all members voting aye on House Resolution No. 11 be added as co-prime sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 99
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 47 out of order which motion prevailed.

House Joint Resolution No. 47 -- Budget Procedures - Authorizes transmittal of the state budget document for fiscal year 2011-2012 by Monday, March 14, 2011; authorizes filing of budget legislation by Monday, March 21, 2011. by *McCormick, *Turner M.

On motion, the rules were suspended for the immediate consideration of the resolution.

Rep. McCormick moved adoption of House Joint Resolution No. 47, which motion prevailed by the following vote:

Ayes 99
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J,

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DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

BILLS WITHDRAWN

On motion of Rep. McCormick, **House Bill No. 5** was recalled from the Health and Human Resources Committee and withdrawn from the House.

REPORT FROM SELECT COMMITTEE

Rep. McDaniel moved that the House adopt the February 1, 2011 Report of the Select Committee on Rules.

BRIEF RECESS

Without objection, Rep. M. Turner moved that the House stand in a fifteen minute recess.

RECESS EXPIRED

The recess having expired, the House was called to order by Speaker Harwell.

ROLL CALL DISPENSED WITH

On motion of Rep. McCormick, the roll call was dispensed with.

REPORT FROM SELECT COMMITTEE, CONTINUED

Rep. McDaniel moved that the Speaker direct the Select Committee on Rules to meet immediately following session to consider adoption of the permanent rules, and that the February 1, 2011 Report of the Select Committee on Rules be heard Monday, February 14, 2011, which motion prevailed.

RULES SUSPENDED

Rep. Lundberg moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 47 out of order which motion prevailed.

Senate Joint Resolution No. 47 -- Memorials, Recognition - Charles T. Floyd. by *Faulk.

On motion of Rep. Lundberg, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. McDaniel moved to suspend **Rule 80, Section 1**, in order to allow Members to request that their bills be heard in committee next week until 3:30 p.m. today, and to allow committee calendars to be transmitted to the Clerk's Office by 6:00 p.m. today, which motion prevailed.

ANNOUNCEMENTS

REPORTS FILED

The Clerk announced that the Transportation Equity Fund Report and the Tennessee Technology Development Annual Report have been filed with the Clerk's Office, and that both reports are available for review by the Members.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 11 Rep(s). Hardaway as prime sponsor(s).

House Joint Resolution No. 24 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 156 Rep(s). Campbell as prime sponsor(s).

House Bill No. 230 Rep(s). Evans and Campbell as prime sponsor(s).

House Bill No. 369 Rep(s). K. Williams and Evans as prime sponsor(s).

House Bill No. 386 Rep(s). Campbell as prime sponsor(s).

House Bill No. 391 Rep(s). Campbell as prime sponsor(s).

**ENGROSSED BILLS
February 9, 2011**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 21, 22, 24, 25, 26, 27, 28, 29, 30, 34, 35, 36, 38 and 47.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
February 9, 2011**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 47 and 51; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 47 -- Memorials, Recognition - Charles T. Floyd. by Faulk

Senate Joint Resolution No. 51 -- Memorials, Recognition - Bill Anderson. by *Haynes, *Harper, *Henry, *Johnson, *Barnes, *Beavers, *Bell, *Berke, *Burks, *Campfield, *Crowe, *Faulk, *Finney L, *Ford, *Gresham, *Haile, *Herron, *Kelsey, *Ketron, *Kyle, *Marrero, *McNally, *Norris, *Overbey, *Southerland, *Stewart, *Tate, *Tracy, *Watson, *Woodson, *Yager, *Ramsey.

**ENROLLED BILLS
February 9, 2011**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 6, 7, 8, 9, 10, 11, 12 and 13; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
February 9, 2011**

The Speaker announced that she had signed the following: House Resolution(s) No(s). 6, 7, 8, 9, 10, 11, 12 and 13.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE GOVERNOR
February 9, 2011**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 33; with his approval.

HERBERT H. SLATERY III, Legal Counsel to the Governor

ROLL CALL

The roll call was taken with the following results

Present..... 99

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

RECESS MOTION

On motion of Rep. McCormick the House stood in recess until 9:00 a.m., Thursday, February 10, 2011.